

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	CASE NO. 09-38205-H1-13
	§	
STEPHANIE M. SHELTER,	§	
Debtor	§	CHAPTER 13
	§	
U.S. BANK N.A. ITS ASSIGNS	§	
AND/OR SUCCESSORS IN	§	
INTEREST,	§	
Movant	§	HEARING DATE: _____
	§	
v.	§	TIME: _____
	§	
STEPHANIE M. SHELTER; and	§	
DAVID G. PEAKE, Trustee	§	
Respondents	§	JUDGE MARVIN ISGUR

**MOTION FOR ENTRY OF AGREED ORDER TERMINATING AUTOMATIC STAY
REGARDING NON-EXEMPT PROPERTY**

THIS IS A MOTION FOR ENTRY OF AN AGREED ORDER TERMINATING THE AUTOMATIC STAY. IF YOU OBJECT TO THE GRANTING OF RELIEF, YOU SHOULD CONTACT THE MOVANT IMMEDIATELY TO TRY TO REACH AN AGREEMENT. IF YOU CANNOT REACH AN AGREEMENT, YOU MUST FILE A WRITTEN RESPONSE AND SEND A COPY TO MOVANT WITHIN 14 DAYS OF THE DATE THIS WAS MAILED TO YOU. IF NO TIMELY OPPOSITION IS FILED, THE COURT MAY GRANT THE RELIEF WITHOUT A HEARING.

1. Movant: U.S. BANK N.A. ITS ASSIGNS AND/OR SUCCESSORS IN INTEREST
2. Movant, directly or as agent for the holder, holds a security interest in

10227 ANDOVER POINT CIRCLE
ORLANDO, FL 32825

LOT 20, ANDOVER POINT, ACCORDING TO THE PLAT THEREOF, AS RECORDED
IN PLAT BOOK 50, PAGES 24 THROUGH 26, OF THE PUBLIC RECORDS OF
ORANGE COUNTY, FLORIDA.

3. The Debtor's exemptions have X have not been allowed.
4. Type of collateral: Real Estate.
5. Debtor's scheduled value of property: \$145,000.00.
6. Movant's estimated value of property: \$145,000.00.

7. Total amount owed to movant: \$138,291.41.
8. Estimated equity (paragraph 6 minus paragraph 7): \$6,708.59.
9. Total pre and post-petition arrearages: \$11,718.59.
10. Total post-petition arrearages: \$8,239.91.
11. Amount of unpaid, past due property taxes, if applicable: Unknown.
12. Expiration date on insurance policy, if applicable: Unknown.
13. Movant and Debtor have agreed to terminate the automatic stay pursuant to the terms of the attached agreed order. Accordingly, the parties request entry of the agreed order.

Date: 04/12/2010

/s/ MITCHELL BUCHMAN

MITCHELL BUCHMAN

TX NO. 03290750

S.D. TX NO. 6328

1900 ST. JAMES PLACE SUITE 500

HOUSTON, TX 77056

Telephone: (713) 621-8673

Facsimile: (713) 621-8583

E-mail: SDECF@BDFGROUP.COM

ATTORNEY FOR MOVANT

Certificate of Service and Certificate of Compliance with BLR 4001

A copy of this motion was served on the persons shown on exhibit "1" at the addresses reflected on that exhibit on April 12, 2010 via electronic means as listed on the Court's ECF Noticing System or by prepaid United States first class mail. Movant certifies that movant has complied with Bankruptcy Local Rule 4001.

/s/ MITCHELL BUCHMAN

MITCHELL BUCHMAN

TX NO. 03290750

S.D. TX NO. 6328

1900 ST. JAMES PLACE SUITE 500

HOUSTON, TX 77056

Telephone: (713) 621-8673

Facsimile: (713) 621-8583

E-mail: SDECF@BDFGROUP.COM

ATTORNEY FOR MOVANT

EXHIBIT 1

DEBTORS:

STEPHANIE M. SHELTER
10227 ANDOVER POINT CIRCLE
ORLANDO, FL 32825

STEPHANIE M. SHELTER
4505 CARTER CREEK PWKY, #3
BRYAN, TX 77802

TRUSTEE:

DAVID G. PEAKE
9660 HILLCROFT, SUITE 430
HOUSTON, TX 77096

DEBTOR'S ATTORNEY:

FRANK STEELMAN
1810 GREENFIELD PLAZA
BRYAN, TX 77802

PARTIES IN INTEREST:

BANK OF AMERICA
4161 PIEDMONT PKWY
GREENSBORO, NC 27410

US BANK HOME MORTGAGE
BANKRUPTCY DEPT
PO BOX 5229
CINCINNATI, OH 45201

PARTIES REQUESTING NOTICE:

None